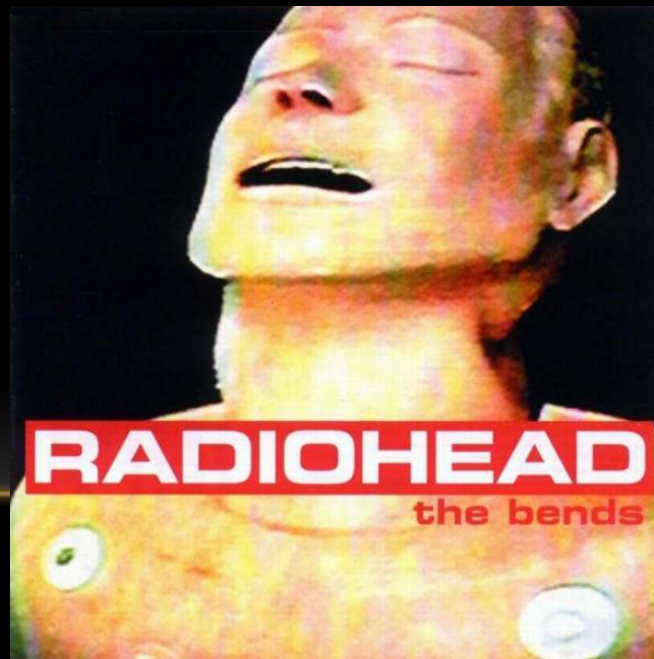


**“DON’T BORE US, GET TO THE CHORUS,
OPEN THE FLOODGATES” - *RADIOHEAD***

***State v. Hurles*, 185 Ariz. 199 (1996)**

- **Rule 404 doesn’t apply, if it’s relevant, it’s in!**
- **“Trying” to get caught ≠ insanity**



Crazy Insane, Or Insane Crazy?

In Re Natalie Z., 214 Ariz. 452 (App. 2007)

- Mental illness doesn't prove insanity
- ~~Marshall Mathers~~ Motive matters



MOTIONS TO KEEP IN MIND

- Definition “wrongfulness” (*Tamplin*, 195 Ariz. 246)
- *In limine* re: *Mott* categories 2 & 3
- Limit experts (e.g., “preliminary” opinion)

DR. PITT'S EVALUATION & THE FORENSIC INTERVIEW:

- **Contact prior to apprehension**
- **Available records: give me everything!**
- **Visit the scene**
- **Collateral interviews**



DR. PITT'S EVALUATION & THE FORENSIC INTERVIEW:

- Evaluation
 - Referral question(s)
 - Goal(s)
 - Venue
 - Format
 - Video and audio
 - Preserving the integrity of the interview



DR. PITT'S EVALUATION & THE FORENSIC INTERVIEW:

- Interviewing in general: process & goals



When I shot him in the head... I knew it was a person. I knew it was a cop. I knew it wasn't right but I did it anyways.

...

My logic tells me not to give him a chance to shoot me. I don't care about the law. My life matters more to me than a cop's does.

**SCOTT
CURLEY...**

**...IN HIS
OWN
WORDS**

I know what I did was wrong, and I did it anyways and I still do not care about your guys' rules.

If I had that kind of power, I'll just kill people
... I would still kill him.

I hate people ... It feels like I should fucking kill them for some odd fucking reason.

THE DATA

James P. Sullivan, PhD, ABPP

**Board Certified in Clinical Neuropsychology
and Forensic Psychology**

Independent Practice

Tucson, AZ

jps@sullivanforensicneuropsych.com

FORENSIC & NEUROPSYCHOLOGICAL EVALUATION OF INSANITY

- **Retrospective**
 - **Two prongs**
 - **Two methods**
-

INSANITY TEST

- 13-502 “A person may be found guilty except insane if at the time of the commission of the criminal act the person was afflicted with a mental disease or defect of such severity that the person did not know the criminal act was wrong.”

FIRST PRONG EVALUATION

- ▶ Prong One- “...afflicted with a mental disease or defect of such severity...”
 - ▶ Three critical points in time:
 - ▶ **Before** (medical/school records)
 - ▶ **During** (police reports; forensic interview)
 - ▶ **After** (mental health evals)
-

AFTER

- ▶ Evaluation of Mental Disease at time 3
 - personality testing
 - ▶ Evaluation of Mental Defect at time 3
 - neuropsych and IQ testing
-

CURLEY REPORT

- “As mentioned above, Mr. Curley was administered The Personality Assessment Inventory- Correctional Sample (PAI-CS), a 344 item objective inventory of adult personality normed on an incarcerated correctional sample. Computer interpreted results of the PAI are generally valid.

“Results describe a socially isolated individual who reports psychotic symptoms, suicidal ideation, and is likely to be impulsive; demonstrating risk taking and generally antisocial behavior.....There is ample indication that Mr. Curley suffered from mental disease before and during this time period...”

SECOND PRONG EVALUATION

- ▶ Prong Two- “...that the person did not know the criminal act was wrong.”
- ▶ Three critical points in time:
 - ▶ **Before** (police reports; forensic interview)
 - ▶ **During** (police reports; forensic interview)
 - ▶ **After** (police reports; forensic interview)

SCOTT CURLEY – THE REPORT


- 2) Regarding evasive actions taken when he was being pursued Mr. Curley reported: a) “I slept out in the wilderness. I built fires only in the mornings. I didn’t want them to see it- wait until mornings.” b) “I threw my jacket down so it wouldn’t hold me back- think I could move faster.” c) “I tried to hide in the forest. They can only see so much in the forest.”
- 3) When asked why police were pursuing him Mr. Curley stated: “For stealing... for breaking laws.”
- 4) When asked why he decided to shoot Deputy Brian Harris rather than surrender Mr. Curley answered: “My logic tells me not to give him a chance to shoot me. I don’t care about the law. My life matters more to me than a cop’s does.”
- 5) When asked why he was being charged with first degree murder Mr. Curley stated: “When I shot him in the head... I knew it was a person. I knew it was a cop. I knew it wasn’t right but I did it anyways.”

- 9) When speaking generally, regarding his worldview Mr. Curley stated: "I have to be honest. I am a serial killer. I hate people." When reminded that a serial killer

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kills multiple people Mr. Curley responded "I was headed in that direction. I hate people."

It should be noted that this forensic interview consists solely of Mr. Curley's self-report of his thoughts, intentions, and actions. The forensic interview is not presented here in its entirety, although every effort was made to present Mr. Curley's comments in a representative, u  It should be noted that Mr. Curley's self-report and recounting of the 8/10 events in the current interview are highly similar to his self-report during interviews conducted By Dr. Pitt and Dr. Scherzer. This stability of Mr. Curley's self-report over time and with different interviewers offers a compelling argument for the accuracy and reliability of Mr. Curley's recounting of his intentions, actions and decision making during the time of the instant offenses.